

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Phillip J. Green

v.

Case No. 1:23-mj-00516

DARNELL BISHOP,

Defendant.

_____ /

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a 4-count complaint. Count 1 charges defendant with Hobbs Act robbery, in violation of 18 U.S.C § 1951; Count 2 charges him with brandishing a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii); Count 3 charges him with theft of firearms from a federal firearms licensee, in violation of 18 U.S.C. § 922(u); and count 4 charge him with knowingly possessing stolen firearms, in violation of 18 U.S.C. § 922(j). Given that probable cause was found and the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis the he is a danger to the community, 18 U.S.C. § 1342(f)(1) and that he poses a risk of non-appearance, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on November 22, 2023, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral

submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the presumption of detention regarding risk of non-appearance and as to danger to the community. The Court also finds, as explained on the record, that the government has sustained its burden by clear and convincing evidence that he is a danger to the community. Further, the Court finds that there is no condition or combination of conditions of release that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on November 25, 2023.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge